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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,982	08/31/2001	Anthony D. Patire	12-1063	1910

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EXAMINER

NGUYEN, LINH V

ART UNIT PAPER NUMBER

2819

DATE MAILED: 02/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/944,982

Applicant(s)

PATIRE ET AL.

Examiner

Linh V. Nguyen

Art Unit

2819

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-11,25 is/are allowed.
- 6) ☒ Claim(s) 12,13,14,17,18,20-24 is/are rejected.
- 7) ☒ Claim(s) 15,16,19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 October 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 20 recites the limitation in claim 17. There is insufficient antecedent basis for this limitation in the claim.

No antecedent basis for " wherein each at least one buffer "

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 12, 13, 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Curtis et al. U.S. patent 5,963,599.

Regarding to claim 12, on Col. 6 lines 1 - 14 and Fig. 7 of Curtis et al. disclosing a method for demodulating a modulated signal comprising: receiving at least one modulated input waveform (8, 8 Bit A/D out); determining all possible valid modulated waveforms (52 [Tv1, Tv2, Tv3]); comparing (48) the received at least one modulated input waveform (50) with the possible valid modulated waveforms (52) and determining

Art Unit: 2819

bit decisions (54) representing a demodulation of the at least one modulated input waveform, each bit decision representing the valid modulated waveform closest to each received at least one modulated input waveform (Col. 10, Table 1, Col. 9 lines 59 – 67).

Regarding to claim 13, the modulate FSK of Curtis et al. as applied to claim 12 above disclose every aspect of applicant's claimed invention except for modulated GSMK wave form. How ever is has been held that a recitation is intended to be employed does not differentiate the claimed method from a prior art system satisfying the claimed method limitation. Ex Parte Masham, 2 USPQ2d 1647 (1987).

Regarding to claim 14, Curtis et al. further comprising: quantizing the at least one modulated input waveform to form quantized sequential signals (A/D converter with output 8 of Fig. 7 is a quantized, even though Curtis et al. does not explicitly disclose A/D converter is a quantizer, however On Col. 4, lines Fig. 1 Chethik et al. taught a demodulation system wherein 35a and 35b [Sampler and quantizer is a A/D converter], *See MPEP & 2131.01 Multiple reference 35 U.S.C 102 rejection*).

5. Claims 17, 18 and 21 – 24, are rejected under 35 U.S.C. 102(b) as being anticipated by Chethik et al. U.S. patent No. 5,898,737.

Regarding to claim 17, Fig. 7 of Chethik et al. as, disclose a demodulator comprising: a quantizer (35a, 35b), the quantizer receiving an input modulated waveform (13a), the quantizer quantizing the input modulated waveform producing quantized data (Col. 4 lines 42 – 45); and at least one memory device (10a) operatively connected to the quantizer, the at least one memory device containing bit decisions representing demodulation of the input modulated waveform (Col. 3 line 54), the

Art Unit: 2819

quantized data being used to form an address to the at least one memory device (Col. 3 lines 38 – 43).

Regarding to claim 18, the demodulator further comprising at least one buffer (11), the at least one buffer operatively connected between the quantizer (35) and the at least one memory device (10), the at least one buffer forming the memory address using the quantized data and sending the memory address to the at least one memory device to obtain the bit decisions (Col. 4 lines 26 - 29).

Regarding to claim 21, wherein the at least one memory device is a ROM (10a).

Regarding to claim 22, wherein the at least one memory device is a RAM (10a).

Regarding to claims 23, and 24, wherein the quantizer is an angle or phase quantizer (35a, 35b for I, Q phase modulated signal).

Allowable Subject Matter

6. Claims 15, 16, and 19, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claims 1 – 11, and 25 are allowed.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linh Van Nguyen whose telephone number is (571) 272-1810. The examiner can normally be reached from 8:30 – 5:00 Monday-Friday.

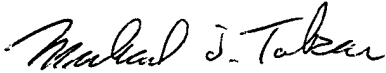
Art Unit: 2819

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Michael Tokar can be reached at (571) 272-1812. The fax phone numbers for the organization where this application or proceeding is assigned are (703-872-9306) for regular communications and (703-872-9306) for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

LVN

02/07/04


Michael Tokar
Supervisory Patent Examiner
Technology Center 2600